



Georgia

HOUSE OF REPRESENTATIVES

Monday  
March 6,  
2023

# DAILY REPORT

28th  
Legislative  
Day

House Budget & Research Office  
(404) 656-5050

- The House will reconvene for its 29th Legislative Day on Tuesday, March 7 at 1:00 p.m.
- No bills / resolutions are expected to be debated on the floor.

## Today on the Floor

### Conference Committee Reports

#### HB 18 Supplemental appropriations; State Fiscal Year July 1, 2022 - June 30, 2023

**Bill Summary:** HB 18, the Amended Fiscal Year 2023 budget, is set by a revenue estimate of \$32.56 billion. This is a 7.8 percent increase, or \$2.36 billion, over the original Fiscal Year 2023 budget. The bill and tracking sheet may be found on the House Budget and Research Office website.

**Authored By:** Rep. Jon Burns (159th)

**Rule Applied:** Modified-Open

**Conference Committee Reports:** *The House adopted the Conference Committee Report with a vote of 172-2. The Senate has adopted the Conference Committee Report. (Adoption of the conference committee report represents final passage of the bill.)*

### Rules Calendar

#### HB 30 State government; definition of antisemitism; provide

**Bill Summary:** HB 30 provides a definition of antisemitism for purposes of state government, using the advisory definition of antisemitism adopted by the International Holocaust Remembrance Alliance (IHRA) on May 26, 2016. IHRA defines antisemitism as a certain perception of Jews, which may be expressed as hatred toward Jews, and includes rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions, and religious facilities.

All state agencies will consider antisemitism as evidence of discriminatory intent for any law or policy which prohibits discrimination. Nothing in the bill will be construed to infringe upon First Amendment rights or an individual's right to engage in legally protected conduct or activity pertaining to U.S. foreign policy or international affairs.

**Authored By:** Rep. John Carson (46th)

**Rule Applied:**

Modified-Structured

**House** Judiciary

**Committee**

03-03-2023 Do Pass by Committee

**Committee:**

**Action:**

Substitute

**Floor Vote:** Yeas: 136 Nays: 22

**Amendments:**

#### HB 82 Income tax; limit eligibility for rural physician tax credit to physicians who qualify on or before December 31, 2023

**Bill Summary:** HB 82 amends O.C.G.A. 48-7-29, relating to tax credits for rural physicians, limiting eligibility for the current tax credit to rural physicians who qualify on or before May 15, 2023 and repealing the credit on December 31, 2028.

The bill subsequently creates a tax credit of up to \$5,000 for rural healthcare professionals, defined as physicians and dentists operating in a rural county. The tax credit may be claimed for up to five years, provided that the healthcare professional continues operating in a rural county. No healthcare

professional practicing in a rural county on or before May 15, 2023 is eligible for the tax credit unless they have practiced in a non-rural county for at least three years. If a healthcare professional qualifies for less than the full 12 months in their first year, they will receive a prorated amount of the credit.

**Authored By:** Rep. Mack Jackson (128th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 1

**Rule Applied:** Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

## **HB 86 Sales and use tax; sales of tangible personal property used for or in the renovation or expansion of certain aquariums; exempt**

**Bill Summary:** HB 86 amends O.C.G.A. 48-8-3, relating to exemptions from sales and use tax, extending the period of time for which qualifying aquariums may be exempt from state sales and use tax associated with renovations and expansions to July 1, 2023 until June 30, 2027.

Relating to sales and use tax exemptions associated with renovations and expansions for zoological institutions, the bill changes the eligible time period to July 1, 2023 until June 30, 2027, or until the aggregate sale and use tax refund amount reached \$800,000, whichever occurs first.

**Authored By:** Rep. Trey Rhodes (124th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 160 Nays: 11

**Rule Applied:** Open  
**Committee** 03-02-2023 Do Pass  
**Action:**  
**Amendments:**

## **HB 101 Income tax; change certain definitions**

**Bill Summary:** HB 101 amends O.C.G.A. 48-7-29.16, relating to tax credits for contributions to student scholarship organizations, by increasing the aggregate amount of tax credits allowed to \$130 million in 2024.

The bill amends O.C.G.A. 48-7-29.20, relating to tax credits for contributions to rural hospital organizations, by increasing the aggregate amount of tax credits allowed from \$75 million to \$80 million. The limit for a member of a limited liability company, a shareholder of a Subchapter 'S' corporation, or a partner in a partnership is increased from \$10,000 to \$25,000. The sunset provision for the credit is changed to December 31, 2028. The bill also amends O.C.G.A. 31-8-9.1 to add "rural freestanding emergency department" to the definition of eligible "rural hospital organization".

The bill adds O.C.G.A. 48-7-29.26 to allow for tax credits for contributions by taxpayers to qualified mortgage loan originators. A "qualified mortgage loan originator" is defined as a nonprofit corporation that, among other stipulations, acts as a mortgage loan originator to make mortgage loans for disadvantaged individuals, operates in a manner considered to be charitable, and provides mortgage loans with terms that are favorable to the borrower. The aggregate amount of tax credits allowed per calendar year will not exceed \$10 million per calendar year and each qualified loan originator is limited to accepting \$2 million per year. Credit limits for taxpayers will be set as the following: \$5,000 per year for individuals; \$10,000 per year for married couples filing jointly; and \$10,000 for a member of a limited liability company, a shareholder of a Subchapter "S" corporation, or a partner in a partnership.

A corporation may receive a credit not to exceed 75 percent of the entity's income tax liability. The bill provides for the registration of qualified mortgage loan originators, requirements for a website that will be created by the Department of Revenue, and the process that a taxpayer is to follow to make contributions to a qualified mortgage loan originator.

The bill amends O.C.G.A. 48-7-29.21, relating to tax credits for qualified education donations for the purpose of awarding grants to public schools, by extending the repeal date to December 31, 2028.

**Authored By:** Rep. Clint Crowe (118th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 102 Nays: 73

**Rule Applied:** Structured  
**Committee** 03-03-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 126 Appeal and error; judgments deemed directly appealable; change a provision**

**Bill Summary:** HB 126 defines the term "final judgment" in O.C.G.A. 5-6-34 to include an order in a criminal proceeding that has a multiple-count indictment or accusation and that results in a final adjudication of fewer than all of the counts in the indictment or accusation. The list of cases that an appellate court must take on appeal is revised to include direct appeals from guilty pleas.

The bill adds the ability for a defendant to seek an out-of-time motion for new trial or notice of appeal within 100 days from expiration of the time period for the filing if certain conditions are met. If a motion for a new trial is made and it is a substantial amendment, the state must be given 10 days to respond and present evidence, although the court can provide a longer period of time at its discretion.

**Authored By:** Rep. Tyler Smith (18th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 172 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 128 Revenue and taxation; representation of minority business enterprises, women and veteran owned businesses in procurement of state contracts; provide**

**Bill Summary:** HB 128 revises definitions and language regarding minority owned businesses. The term 'member of a minority' is removed and replaced with 'classified subcontractor'. This definition is for a small business certified as a minority owned business. The commissioner of the Department of Administrative Services is required to maintain a list of classified subcontractors and make the list available to the general public by December 31 of each year. 'Minority' is defined as a member of a race which makes up less than fifty percent of the total state population and belongs to one or more of the following groups: Black, Hispanic, Asian pacific, Native American, or Asian-Indian American. A 'veteran owned business' is defined as a business owned by an individual who has served as a reservist or on active duty with a branch of the United States military and did not receive a dishonorable discharge. A 'woman owned business' is required to be operated by one or more women. The requirement for an application containing business history and documentation for classification as one of these terms is removed.

**Authored By:** Rep. Soo Hong (103rd)  
**House** State Planning & Community Affairs  
**Committee:**  
**Floor Vote:** Yeas: 160 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee** 02-14-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 166 Courts; provide for qualification of constables**

**Bill Summary:** HB 166 modifies the eligibility requirements of constables to require an eligible person to: be at least 21 years old; be a U.S. citizen; be a registered voter; and have obtained a high school diploma or a general educational development (GED) diploma. The bill allows for a locality to impose additional requirements for the office of chief constable, constable, or both. These requirements apply to any constable taking office on or after July 1, 2023.

**Authored By:** Rep. Karen Mathiak (74th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 165 Nays: 2

**Rule Applied:** Modified-Structured  
**Committee** 02-27-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 170 Sales and use tax; taxation of certain digital products and services; provide**

**Bill Summary:** HB 170 amends Title 48, Chapter 8, relating to sales and use tax, by allowing for the imposition of sales and use tax on the retail purchase or sale of certain digital goods, products, and services to an end user. The sale must be for permanent use of the product and cannot be contingent on a reoccurring payment agreement.

**Authored By:** Rep. Kasey Carpenter (4th)

**Rule Applied:** Structured

**House Committee:** Ways & Means  
**Floor Vote:** Yeas: 162 Nays: 10

**Committee Action:** 03-03-2023 Do Pass by Committee Substitute  
**Amendments:**

### **HB 181 Controlled Substances; mitragynine and hydroxymitragynine are Schedule I; provide**

**Bill Summary:** HB 181 adds the compound 7-hydroxymitragynine to the definition of "kratom". The bill limits the methods that kratom can be ingested and requires that the sale of kratom be only behind the counter in stores. Anyone violating this section is guilty of a misdemeanor.

The bill requires all kratom products to be derived from the natural kratom plant. Any plants that are manufactured or processed cannot be modified to increase the levels of mitragynine and 7-hydroxymitragynine beyond the following limits: 150 mg of mitragynine per serving; 0.5 7-hydroxymitragynine per gram; or 1 mg 7-hydroxymitragynine per serving. No product can be sold or delivered in this state above those thresholds.

A kratom processor cannot sell or distribute a kratom product that is adulterated or contains certain compounds or substances within it. An entity that manufactures, distributes, sells, or delivers kratom must maintain a registered agent in the state. A processor who knowingly or recklessly commits an act in violation of O.C.G.A. 16-13-122 will be guilty of a high and aggravated misdemeanor as a first offense and a felony on a second or subsequent offense, with a penalty of imprisonment between one to 15 years; a maximum fine of \$100,000; or both. A processor who negligently commits an act in violation of O.C.G.A. 16-13-122 will be guilty of a misdemeanor and subject to a maximum fine of \$1,000. A person who suffers injury or damages as a result of a violation of this Code section can also bring a civil action for actual damages, which are presumed to be at least \$250, together with court costs. A court will award treble damages for an intentional violation. This bill is effective January 1, 2024.

**Authored By:** Rep. Rick Townsend (179th)  
**House Committee:** Judiciary Non-Civil  
**Floor Vote:** Yeas: 171 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee Action:** 03-02-2023 Do Pass by Committee Substitute  
**Amendments:**

### **HB 188 Georgia Dangerous Sexual Predator Prevention Act; enact**

**Bill Summary:** HB 188 is known as 'Mariam's Law'.

Section 2-1 changes the name of the Sexual Offender Registration Review Board to the Sexual Offender Risk Review Board (SORRB).

Section 3-1 defines the term "sexual felony" to be a felony conviction of the following crimes: aggravated assault; kidnapping that involves a victim under the age of 14, except by a parent; sex trafficking; rape; aggravated sodomy; statutory rape; child molestation; aggravated child molestation; enticing a child for indecent purposes; improper sexual contact by employee or agent in the first or second degree or improper sexual contact by a foster parent in the first or second degree, unless the punishment was not subject to O.C.G.A. 17-10-6.2; incest; aggravated sexual battery; and sexual exploitation. Any person who was previously convicted of a sexual felony who is convicted of aggravated assault with the intent to rape will be subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life. Electronic monitoring is imposed as a condition of probation.

Section 3-2: Any person who was previously convicted of a sexual felony that is convicted of kidnapping is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-3: Any person who was previously convicted of a sexual felony that is convicted of human trafficking for sexual servitude is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-4: Any person who was previously convicted of a sexual felony that is convicted of rape is

subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-5: Any person who was previously convicted of a sexual felony that is convicted of aggravated sodomy is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-6: Any person who was previously convicted of a sexual felony that is convicted of statutory rape is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-7: Any person who was previously convicted of a sexual felony that is convicted of aggravated child molestation is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-8: Any person who was previously convicted of a sexual felony that is convicted of enticing a child for indecent purposes is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-9: Any person who was previously convicted of a sexual felony that is convicted of improper sexual contact by an employee, agent, or foster parent in the first or second degree is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-10: Any person who was previously convicted of a sexual felony that is convicted of incest is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-11: Any person who was previously convicted of a sexual felony that is convicted of aggravated sexual battery is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 3-12 removes the crime for removing or inhibiting an electronic monitoring device who is required to wear it under O.C.G.A. 42-1-14, as a response in part to the Supreme Court of Georgia case *Park v. State*.

Section 3-13: Any person who was previously convicted of a sexual felony that is convicted of sexual exploitation of children is subject to imprisonment for life or a split sentence that is a term of imprisonment followed by probation for life that includes electronic monitoring as a condition of probation.

Section 4-1 changes the name of SORRB and requires that a defendant who was sentenced to probation submit to SORRB within 60 days of being sentenced for a risk assessment rather than the current requirement of 10 days.

Section 5-1 changes the name of SORRB.

Section 6-1 changes the name of SORRB and adds the crime of electronically furnishing obscene material to minors to the list of crimes defined as a "dangerous sexual offense" under O.C.G.A. 42-1-12(a)(10)(B.4).

Section 6-2 changes the name of SORRB.

Section 6-3 repeals and replaces O.C.G.A. 42-1-14, which was previously ruled unconstitutional. The section clarifies the procedure for when a sexual offender moves from another state or territory to

Georgia, the risk assessment process for sexually dangerous predators, and the timelines for when risk assessment evaluations need to be made by SORRB. A person receiving a Level II risk classification, or as a sexually dangerous predator, may request re-evaluation after 10 years from the initial classification and then once every five years thereafter.

Section 6-4 requires the court to refer a case to an officer of the circuit for investigation and recommendation prior to sentencing when a life sentence may be imposed because of a previous conviction for a sexual felony. SORRB is also required to determine the classification level of the defendant in writing and report that determination to the court. The findings will be provided to the prosecutor and defendant no later than 10 days prior to the sentencing hearing.

Section 6-5 requires the Department of Community Supervision to file a petition on behalf of a person who is on probation for life for a sexual felony after that person has served 10 years if: all restitution has been paid; probation has not been revoked; the probationer has not been arrested for anything other than a non-serious traffic offense; and the probationer has not been classified as a sexually dangerous predator by SORRB. Upon issuing an order terminating an offender's probation, the court will provide written notice to the local district attorney and the State Board of Pardons and Paroles regarding the court's intention, and the prosecuting attorney will be given an opportunity to be heard during the 30 days prior to the issuance of the termination order by the court. The provisions changed by this portion of the bill are retroactive to any probationer under the supervision of the Department of Community Supervision. If the petition is not granted, a petition will be filed every five years afterward until the probationer meets the requirements.

Section 6-6 changes the name of SORRB in a reference and allows the person who was convicted as a sexual offender to obtain supervision records of the Department of Community Supervision.

Section 7-1 states that this will apply to all offenses committed on or after July 1, 2023.

**Authored By:** Rep. Steven Sainz (180th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 171 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

#### **HB 189 Highways, bridges, and ferries; allowable variance for weight limitations upon a vehicle or load; provide for**

**Bill Summary:** HB 189 provides for a 10 percent variance to the 80,000 pound gross vehicle weight limit for trucks hauling certain commodities from point of origin to point of processing within a 250-mile radius. In order to haul these loads, the tractor and trailer must be certified to meet or exceed the weight allowable by the variance.

The bill provides penalties for violations of the variance. When the weight of the vehicle is less than 93,000 pounds, a penalty of five cents per pound over the allowed weight limit not including any variance is assessed. When the weight is over 93,000 pounds but less than 98,000 pounds, the penalty is 10 cents per pound over allowed weight limit not including any variance. For loads greater than 98,000 pounds, the penalty is 15 cents per pound for all excess over allowable weight not including any variance.

**Authored By:** Rep. Steven Meeks (178th)  
**House** Transportation  
**Committee:**  
**Floor Vote:** Yeas: 93 Nays: 81

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

#### **HB 196 Georgia Access to Medical Cannabis Commission; subject to Administrative Procedure Act and laws governing open meetings and records; provide**

**Bill Summary:** HB 196 makes the Access to Medical Cannabis Commission subject to the 'Administrative Procedures Act' (Chapter 13 of Title 50), state purchasing laws (Article 3 of Chapter 5 of Title 50), open and public records (Chapter 14 of Title 50), and inspection of public records (Article 4 of Chapter 18 of Title 50). The commission has the ability to issue an additional dispensing license to registered patients at the premises of each Class 1 or Class 2 production facility.

Dispensaries are also permitted to sell low THC oil and products from any production licensee in the state.

The bill requires the commission to issue up to four additional Class 1 production licenses and to issue up to seven additional Class 2 production licenses. The commission is required to issue one additional Class 2 production license for every increase of 5,000 patients in the Low THC Oil Patient Registry and one additional Class 1 production license for every increase of 10,000 patients in the registry, subject to the overall limit of Class 1 and Class 2 licenses in Code.

The Georgia State-wide Business Court will have exclusive jurisdiction over any appeals of final decisions by the commission regarding the issuance of new licenses. Each commission member will be required to file an annual financial disclosure statement for the previous calendar year.

Ulcerative colitis and myasthenia gravis are added to the list of conditions eligible for low THC oil.

**Authored By:** Rep. Alan Powell (33rd)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 2

**Rule Applied:** Modified-Structured  
**Committee** 02-27-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

#### **HB 206 Local government; creation of Commercial Property Assessed Conservation, Energy, and Resiliency Development Authorities; provide**

Bill Summary: HB 206 creates the 'Commercial Property Assessed Conservation, Energy, and Resiliency Development Authorities Law.' The act provides for the establishment of commercial property assessed conservation, energy, and resiliency development authorities within each county and municipal corporation in the state.

The authority in each county or municipality cannot exercise any powers until the governing body of the county or municipality declares there is a need for such an authority. The act provides guidelines for membership and governance of the board of directors that must be established for each authority. The purpose of the authorities is to facilitate local businesses in receiving low-cost, long-term financing for specified, qualified improvements including energy efficiency, water conservation, renewable energy, and resiliency improvements.

**Authored By:** Rep. Steven Sainz (180th)  
**House** Governmental Affairs  
**Committee:**  
**Floor Vote:** Yeas: 134 Nays: 38

**Rule Applied:** Modified-Structured  
**Committee** 02-15-2023 Do Pass  
**Action:**  
**Amendments:**

#### **HB 219 Banking and finance; venue for offense of money laundering; provide**

Bill Summary: HB 219 adds venue for any prosecution under Title 7 (Banking and Finance), Chapter 1 (Financial Institutions), Article 11 (Records and Reports of Currency Transactions) when it involves the transfer or movement of digital money or currency to be in any county where the accused exercise control over the money or currency; any county in which any act was performed in furtherance of the transaction; or any county in which an alleged victim lives.

The bill adds venue for any prosecution dealing with the applicable crimes of theft to be in any county where an act was performed in furthering the violation or in any county in which an alleged victim resides.

**Authored By:** Rep. Scott Hilton (48th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 172 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 228 Education; tuition equalization grants at private colleges and universities; expand definition of approved school**

**Bill Summary:** HB 228 expands tuition equalization grant eligibility to include higher education institutions which offer: baccalaureate programs in nursing; have a current physical presence in Georgia for at least five years; have received accreditation from the Commission on Collegiate Nursing Education; and have accreditation from either the Southern Association of Colleges and Schools (SACS) or a regional accrediting agency recognized by the U.S. Department of Education.

These institutions must have a four-year average passage rate of at least 85 percent for the National Council Licensure Examination, and admit students who have a high school diploma or equivalency or a degree from an accredited postsecondary institution. Such institutions are only considered as approved institutions for students who enroll on or before July 1, 2025.

**Authored By:** Rep. Katie Dempsey (13th)  
**House** Higher Education  
**Committee:**  
**Floor Vote:** Yeas: 168 Nays: 7

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 231 Prosecuting Attorneys Oversight Commission; create**

**Bill Summary:** HB 231 creates the Prosecuting Attorneys Oversight Commission, which consists of an investigative panel and a hearing panel. The investigative panel is responsible for investigating alleged conduct that constitutes grounds for discipline, which is specifically outlined in the bill and includes: mental or physical incapacity; willful misconduct in office; willful and persistent failure to perform duties; conviction of a crime involving moral turpitude; conduct prejudicial to the administration of justice; allowing an assistant district attorney or assistant solicitor general to commit acts that would constitute removal; and violating the State Bar of Georgia's Rules of Professional Conduct.

Complaints made to the investigative panel are required to show evidence that constitutes the grounds for discipline. If the complaint makes an allegation on the basis of a charging decision, plea offer, or one of the other specific issues in the bill, then the complaint must also show that it was likely that the decision was made based on one of the specific criteria such as: undue bias; an undisclosed conflict of interest; or a stated, written policy that demonstrates a district attorney or solicitor general categorically refuses to prosecute certain offenses. The commission will commence by October 1, 2023, and the rules must be established by April 1, 2024.

The bill adds an additional duty for district attorneys and solicitors general to review each individual case to determine whether probable cause for prosecution exists, and to make a prosecutorial decision based on the facts and circumstances of that case. This duty is also grounds for a recall if a district attorney or solicitor general fails to perform it.

**Authored By:** Rep. Joseph Gullett (19th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 98 Nays: 75

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 249 Education; needs based financial aid program; provide definition**

**Bill Summary:** HB 249 provides Georgia College Completion Grant eligibility to students who have completed 70 percent of a four-year program or 45 percent of a two-year program. The maximum award amount per eligible student is set at \$3,500, with no single payment exceeding \$2,500.

**Authored By:** Rep. Chuck Martin (49th)  
**House** Higher Education  
**Committee:**  
**Floor Vote:** Yeas: 168 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee** 02-23-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**



**HB 283 Sales and use tax; change manner and method of imposing and collecting taxes on new manufactured single-family structures**

Bill Summary: HB 283 amends 48-8-3, relating to sales and use tax, by eliminating a state sales tax exemption of 50 percent on the sale of manufactured homes. The bill subsequently creates O.C.G.A. 48-8-3.6, which limits the taxable sales price for the first retail sale of new manufactured single-family structure to 60 percent of the invoice amount.

The bill amends O.C.G.A. 48-7-29.17, relating to a tax credit for the purchase of an eligible single-family residence, by allowing a tax credit of 1.2 percent of the purchase price of an eligible single-family residence purchased between July 1, 2023 and June 30, 2024. An eligible single-family residence is defined as a single-family structure, including a condominium unit, valued at \$250,000 or less. The credit is available only to first-time homebuyers, which is defined as an individual that has not owned a principal residence in the preceding three-years before the date of purchase.

**Authored By:** Rep. Beth Camp (135th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 174 Nays: 1

**Rule Applied:** Structured  
**Committee** 03-03-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 290 Revenue and taxation; county tax commissioner duties; revise provisions**

Bill Summary: HB 290 amends O.C.G.A. 48-5-359.1 to allow municipalities to contract with county tax commissioners to prepare a city's tax digest and assess and collect city taxes, fees, and assessments in the same manner as county taxes. An agreement is only eligible for a municipality, or portions of a municipality, that are located within a county tax assessor's jurisdiction. The contract must be negotiated and agreed upon by the municipality, the county tax commissioner, and the county, and is limited to the current term of county tax commissioner, plus one year. The contract must specify the services to be offered, the amount to be paid to the county, and the amount to be paid to the tax commissioner.

The bill requires that tax commissioners receive amounts stipulated in the contract up to 50 percent of the minimum annual salary for the tax commissioner pursuant to O.C.G.A. 48-5-183 and subsection (g) of O.C.G.A. 48-5-137. If any amount to be paid to the tax commissioner in a year exceeds the maximum amount allowed, then the excess funds will be returned to the municipalities no later than April 1 of the following year in a prorated share based on the total number of tax parcels within each municipality.

**Authored By:** Rep. Mitchell Scoggins (14th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 171 Nays: 0

**Rule Applied:** Structured  
**Committee** 03-02-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 340 Education; daily duty-free planning periods for teachers in grades six through twelve; provide**

Bill Summary: HB 340 amends O.C.G.A. 20-2-218 to protect planning periods for teachers. Teachers who are in the classroom more than 50 percent of a regular school day are required to have a duty-free planning period, with some exceptions related to safety.

**Authored By:** Rep. John Corbett (174th)  
**House** Education  
**Committee:**  
**Floor Vote:** Yeas: 173 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 343 Lowering Prescription Drug Costs for Patients Act; enact**

Bill Summary: HB 343 is the 'Lowering Prescription Drug Costs for Patients Act' and requires prescription drug coinsurance or deductible amounts to be calculated at the point of sale based on a price reduced by an amount equal to at least 50 percent of all rebates received or to be received for the dispensing or administration of the prescription drug.

The bill requires pharmacy benefit managers (PBMs) to report annually to the Department of

Insurance the aggregate amounts received for: rebates; administrative fees; insurer administrative service fees; rebates and administrative fees that did not pass through to health plans or insurers; retained rebate percentages; rebates and administrative fees used to decrease premiums; and the expected and actual premium impacts.

The bill states that the commissioner of the Office of Insurance and Fire Safety will deem information or data as a protected trade secret not subject to disclosure if it would identify any individual drug, therapeutic class of drugs, or manufacturer and the specific pricing or rebates. The department is to submit an annual report to the House and Senate health committees summarizing the information submitted by PBMs.

Any health plan administered by the state is exempt from this bill, including the State Health Benefit Plan and Medicaid health plans, as well as self-funded employer-sponsored health insurance plans regulated under the 'Employee Retirement Income Security Act of 1974' (ERISA). The bill is effective January 1, 2024.

**Authored By:** Rep. Mark Newton (127th)  
**House** Health  
**Committee:**  
**Floor Vote:** Yeas: 168 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee** 02-22-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 353 Georgia Lottery for Education Act; administrative procedures regarding coin operated amusement machines shall be subject to Chapter 13 of Title 50; provide**

**Bill Summary:** HB 353 provides additional requirements and rules for those involved in coin operated amusement machines (COAMs). The bill makes the Georgia Lottery Corporation's regulation of COAMs subject to the Georgia Administrative Procedure Act. The permitted noncash redemption award per play at a Class A machine is capped at \$50. Gift cards, which are defined as electronic payment devices that can be issued for noncash redemption that was earned by a successful player of a COAM, can be reloaded but cannot be exchanged for cash. To be eligible for a location owner or location operator license, the applicant must show that the property is owned or leased by the applicant, and a person or entity holding one of those licenses can offer gift cards for noncash redemption for play on Class A or Class B machines, although no value can be placed on those gift cards unless a player has won a game on a COAM. Those who win prizes are permitted to redeem their winnings on a gift card from a self-service gift card redemption device.

A master licensee, a location owner, a location operator, or those holding a combination of those licenses, can conduct billiards or darts tournaments on the premises of a location that they have a contract for the installation of COAMs, and those tournaments can be conducted on those COAMs. Any settlements involving a proposed revocation or a proposed nonrenewal of a master license require a public action. In buildings that are licensed locations for COAMs, a master licensee can place non-fixtures on the premises, including digital video signage, rugs, seating, removable partitions, or wall coverings, to show that the location has a relationship with the master licensee. These are not deemed to be unfair methods of competition, or unfair or deceptive acts. In certain disputes between location owners or operators and master licensees, a hearing officer can award withheld funds to either party if they can meet certain conditions by clear and convincing evidence.

**Authored By:** Rep. Alan Powell (33rd)  
**House** Regulated Industries  
**Committee:**  
**Floor Vote:** Yeas: 127 Nays: 46

**Rule Applied:** Modified-Structured  
**Committee** 02-28-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 364 Wrongful Conviction Compensation Act; enact**

**Bill Summary:** HB 364 is the 'Wrongful Conviction Compensation Act'. The bill creates the Wrongful Conviction Compensation Review Panel under the authority of the Claims Advisory Board. The review panel is composed of five members serving three-year terms. Members of the panel include: 1) a judge who presides over felony criminal matters in any state court who is appointed by the chief justice of the Georgia Supreme Court; 2) a current district attorney appointed by the governor; 3) a criminal defense attorney appointed by the governor; 4) an attorney, forensic science expert, or law professor, with expertise in wrongful convictions appointed by the speaker of

the House; 5) and an attorney, forensic science expert, or law professor, with expertise in wrongful convictions appointed by the president of the Senate.

To be eligible for compensation, the claimant must establish by a preponderance of the evidence that: 1) the claimant was convicted of one or more felonies and subsequently incarcerated; 2) the claimant proclaims their innocence; 3) the claimant did not, or bribe or induce someone to, commit perjury, fabricate evidence, or engage in conduct intended to bring about the conviction; and 4) the claimant was exonerated for the crime in which compensation is being requested.

To receive compensation, the claimant must establish by a preponderance of the evidence that: 1) the claimant received a pardon based on innocence for the conviction; 2) the claimant was exonerated based on grounds of innocence; or 3) the claimant did not commit the crime for which the claimant was convicted and did not commit any lesser-included offenses. The claim must be filed with the board within three years after the date that the claimant's eligibility was established. If a hearing is held, the claimant, the district attorney from the circuit that the conviction occurred, and the attorney general will be provided notice in advance.

Recommendations to the board may include \$100,000 for each year of wrongful incarceration, although they must be at least \$50,000 per year. The review panel is allowed to include reasonable attorneys' fees, and any monetary judgment or settlement agreement against the state or a locality related to the wrongful conviction will be deducted from the sum of money that is included in the recommendation of the review panel. The board will adopt the recommendation of the panel and transmit the recommendation to the chief justice of the Supreme Court of Georgia within seven days of receiving it.

If the chief justice adopts the recommendation of the board, it will be paid from the judiciary budget, subject to appropriations by the General Assembly. Payment will be made in the form of cash, and dollar amounts provided in the bill will be adjusted annually using the Consumer Price Index (CPI). If any amount is won by the claimant against the state or a locality in a separate legal action or a resulting settlement, then that monetary award will be deducted from the amount awarded by the panel.

The bill defines "exonerated" as having their judgment reversed or vacated, having been granted a new trial, and having the indictment or accusation dismissed or nolle prossed; having their judgment reversed or vacated, or was granted a new trial and, upon retrial, acquitted; or having received a pardon based on innocence.

**Authored By:** Rep. Scott Holcomb (81st)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 157 Nays: 17

**Rule Applied:** Modified-Structured  
**Committee** 03-06-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 374 Local government; municipal deannexation; repeal certain provisions**

**Bill Summary:** HB 374 provides guidelines and requirements for municipal deannexations. The bill prohibits deannexations that result in the formation of unincorporated islands or noncontiguous areas within the municipality.

**Authored By:** Rep. Brad Thomas (21st)  
**House** Governmental Affairs  
**Committee:**  
**Floor Vote:** Yeas: 144 Nays: 28

**Rule Applied:** Modified-Structured  
**Committee** 03-03-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 383 Safer Hospitals Act; enact**

**Bill Summary:** HB 383 is known as the 'Safer Hospitals Act'. The bill defines the term "healthcare worker" as any employee or independent contractor of a hospital or other healthcare facility. Increased penalties are added when someone commits aggravated assault against a healthcare worker or an emergency health worker located on a hospital campus. The penalty is imprisonment between three to 20 years.

The bill increases penalties for committing aggravated battery against a healthcare worker or an emergency health worker located on a hospital campus. The penalty is imprisonment between three to 20 years.

A new chapter in the Code is created that defines "hospital", "hospital campus", and "hospital peace officer". The provisions allow a hospital guard to have arrest powers while on a hospital campus, and hospital security who are certified by the Georgia Peace Officer Standards and Training Council (POST) can be authorized by a hospital to carry a firearm or weapon. Each hospital that employs law enforcement are required to report to the Georgia Bureau of Investigation (GBI) and local law enforcement incidents of criminal gang activity that occurs on or adjacent to the hospital campus. The bill requires records not protected under a state disclosure law to be available for public inspection.

The bill is effective July 1, 2023.

**Authored By:** Rep. Matt Reeves (99th)  
**House** Judiciary Non-Civil  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 5

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 392 Georgia Endowment for Teaching Professionals; create**

Bill Summary: HB 392 creates the Georgia Endowment for Teaching Professionals. The purpose of the endowment is to receive and distribute funds to support outstanding teaching professionals in high-demand fields within the Technical College System of Georgia.

**Authored By:** Rep. Rick Jasperse (11th)  
**House** Higher Education  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 412 Income tax; repeal a limitation on types of partnerships that may elect to pay income taxes at the entity level**

Bill Summary: HB 412 amends O.C.G.A. 48-7-23, relating to taxation of partnerships, by removing a limitation stipulating that the associated subsection only applies to a partnership that is 100 percent directly owned and controlled by eligible shareholders of an "S" corporation.

**Authored By:** Rep. Bruce Williamson (112th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

### **HB 431 Special purpose local option sales tax; counties; provisions**

Bill Summary: HB 413 amends O.C.G.A. 48-8-111, relating to imposition of a county special purpose local option sales tax, by eliminating certain limitations on counties that both implement a special local option sales tax and levy an equalized homestead option sales tax. This includes restricting the use of special purpose local option sale tax revenue to transportation, public safety, debt service, and repair of capital projects, as well as limiting the amount of special purpose local option sales tax proceeds that can be used to repair capital projects to 15 percent of total proceeds.

**Authored By:** Rep. Karla Drenner (85th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 174 Nays: 0

**Rule Applied:** Structured  
**Committee** 03-02-2023 Do Pass  
**Action:**  
**Amendments:**

### **HB 437 Georgia State Indemnification Commission; abolish and authorize commissioner of administrative services to assume duties; provisions**

Bill Summary: HB 437 abolishes the Georgia State Indemnification Commission and moves its activities and duties to the commissioner of the Department of Administrative Services.

**Authored By:** Rep. Bill Hitchens (161st)  
**House** Public Safety & Homeland Security  
**Committee:**  
**Floor Vote:** Yeas: 172 Nays: 1

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

#### **HB 454 Revenue and taxation; Internal Revenue Code and Internal Revenue Code of 1986; revise terms**

**Bill Summary:** HB 95 amends O.C.G.A. 48-1-2 relating to income tax definitions by providing an update to the definition of "Internal Revenue Code" and stipulating that Section 174 of the Internal Revenue Code be included with other sections that will be treated as they were in effect before Public Law 115-97 was enacted in 2017.

The bill amends O.C.G.A. 48-7-20, relating to individual income tax rates, by clarifying that on January 1, 2024, the income tax imposed will be 5.49 percent and can be reduced annually at a rate of 0.10 percent if certain conditions are met, beginning on January 1, 2025, until the rate reaches 4.99 percent. The bill adds O.C.G.A. 48-7-27.1 to allow for eligible itemizers, defined as eligible residents that choose to deduct certain itemized nonbusiness deductions, to receive a credit of \$300.

The bill amends 48-7-40.24, relating to tax credits for jobs associate with large-scale projects, by including a pandemic, defined as a disease outbreak that affects a significant portion of the population and impacts the ability to conduct business, to terms qualifying as "force majeure".

**Authored By:** Rep. Shaw Blackmon (146th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 0

**Rule Applied:** Structured  
**Committee** 03-03-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

#### **HB 455 Professions and businesses; professional programs to address career fatigue and wellness in healthcare professionals; provisions**

**Bill Summary:** HB 455 provides that no person or entity is required to report information to a licensing board regarding a healthcare professional who is participating in a professional program that addresses issues related to career fatigue and wellness in healthcare professionals unless the person or entity determines that there is a reasonable probability that the professional is not competent to practice or is a danger to themselves, patients, or the public.

The bill provides for immunity from civil liability for members of any committee, board, group, or commission that reviews, evaluates, or makes recommendations on these professional programs. The bill provides that proceedings and related documents of a professional program are not subject to discovery or introduction into evidence in any civil action, with exceptions.

**Authored By:** Rep. John LaHood (175th)  
**House** Health  
**Committee:**  
**Floor Vote:** Yeas: 174 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass  
**Action:**  
**Amendments:**

#### **HB 458 Agriculture; hemp farming; provide for intent**

**Bill Summary:** HB 458 amends O.C.G.A. 2-32-2 relating to hemp farming licensure, permitting, and product analysis. To sell hemp products in a retail setting, the establishment must be licensed annually by the Department of Agriculture. Consumable hemp products must have a QR code visible to allow customers to access the certificate of analysis conducted on the product. The department will randomly test consumable hemp products to ensure compliance with this Code section. The bill prohibits retailers from selling hemp products to any individual under the age of 21.

**Authored By:** Rep. Clay Pirkle (169th)  
**House** Agriculture & Consumer Affairs  
**Committee:**  
**Floor Vote:** Yeas: 169 Nays: 2

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 462 Raise the Age Act; enact**

Bill Summary: HB 462 is the 'Raise the Age Act'. The bill increases the jurisdiction of the juvenile court to include children who are 17 years old and revises various references in the Code to reflect this change. The bill establishes an implementation committee, which consists of 12 members and is responsible for conferring with appropriate agencies and interested parties regarding standards and practices of other jurisdictions, the most recent national standards, and the interested parties' views.

A superior court will maintain jurisdiction of those who are 17 years old at the time of the alleged crime when those individuals are alleged to have committed criminal gang activity or an offense that would be a felony, if tried as an adult, for a second or subsequent time.

Parts I and IV of the bill become effective upon the governor's signature. Parts II and III of the bill become effective January 1, 2025, subject to appropriations. If the co-chairpersons of the implementation committee determine that money was not appropriated for that year, the determination will be made during the following years until January 1, 2030. If those funds are appropriated in one of the following years, it will become effective on January 1 of that fiscal year.

**Authored By:** Rep. Mandi Ballinger (23rd)  
**House** Juvenile Justice  
**Committee:**  
**Floor Vote:** Yeas: 145 Nays: 22

**Rule Applied:** Modified-Structured  
**Committee** 02-28-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 482 Income tax; tax credits for establishing or relocating quality jobs; provide clarification**

Bill Summary: HB 482 amends O.C.G.A. 48-7-40.17, relating to tax credits for establishing or relocating quality jobs, by revising the definition of "taxpayer" to include organizations exempt from tax, pursuant to O.C.G.A. 48-7-25, to the extent that a business operated by such an organization generates unrelated business income as defined in Section 512 of the Internal Revenue Code. The eligibility for organizations that qualify for the credit offered in this Code section shall be based solely on projects, investments, and job that are related primarily to its trade or business.

**Authored By:** Rep. Steven Sainz (180th)  
**House** Ways & Means  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 4

**Rule Applied:** Structured  
**Committee** 03-02-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 493 Professions and businesses; verification of competency for registered professional nursing licenses; revise a provision**

Bill Summary: HB 493 relates to continuing competency requirements for registered professional nursing licenses and adds federally operated healthcare facilities as an eligible facility to verify competency.

**Authored By:** Rep. Matt Hatchett (155th)  
**House** Health  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 498 Funeral directors and embalmers; reinstatement of lapsed license; change certain provisions**

Bill Summary: HB 498 allows for the reinstatement of a less than 10-year lapsed funeral director license.

**Authored By:** Rep. Danny Mathis (149th)  
**House** Small Business Development  
**Committee:**  
**Floor Vote:** Yeas: 172 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 02-27-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 504 Education; exclude amounts attributable to level 1 freeport exemptions for purposes of calculating local five mill share**

Bill Summary: HB 504 removes the value of level 1 freeport exemptions from the equalized property tax digest for the purpose of calculating local five mill share and equalization.

**Authored By:** Rep. Matt Hatchett (155th)  
**House** Education  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 514 Housing Regulation Transparency Act; enact**

Bill Summary: HB 514 creates the 'Housing Regulation Transparency Act'. The bill establishes a 180-day time limit, subject to specified exceptions, for any local ordinance or resolution that would result in a temporary moratorium on single-family residential zoning decisions or permit issuance or approval for single-family residential purposes.

The bill authorizes local governments to levy and collect specified fees related to exercising zoning powers and issuing associated permits. The proceeds of such fees are required to be used to fund the administration and enforcement of zoning ordinances. Local governments are authorized to waive any zoning-related fees for single-family housing developments or projects of less than 2,500 square feet of conditioned space per unit.

**Authored By:** Rep. Dale Washburn (144th)  
**House** Governmental Affairs  
**Committee:**  
**Floor Vote:** Yeas: 127 Nays: 43

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 524 Motor vehicles; issuance of Class C driver's license to operators of certain three-wheeled motor vehicles; provide**

Bill Summary: HB 524 allows a Class C license to be issued to an operator of a three-wheeled vehicle with seatbelts and a frame to partially or fully enclose the driver. Operators of these vehicles are not required to wear protective headgear or eyewear.

**Authored By:** Rep. Jordan Ridley (22nd)  
**House** Motor Vehicles  
**Committee:**  
**Floor Vote:** Yeas: 168 Nays: 7

**Rule Applied:** Modified-Open  
**Committee** 02-28-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 528 Georgia Online Automatic Renewal Transparency Act; enact**

Bill Summary: HB 528 the 'Georgia Online Automatic Renewal Transparency Act', relating to deceptive and unfair trade practices regarding the automatic monthly charges for a service or product. Companies must have a clear and conspicuous method of cancellation online if the company also allows consumers to accept an automatic renewal or continuous service online. The bill requires companies to provide consumers with notice if there is a material change in the terms of the renewal offer.

**Authored By:** Rep. Houston Gaines (120th)  
**House** Agriculture & Consumer Affairs  
**Committee:**  
**Floor Vote:** Yeas: 173 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 531 Local government; provide investment policies**

Bill Summary: HB 531 sets criteria for local government investment policies, requiring investment objectives of the policies to account for safety of capital, sufficient liquidity, obtaining a market rate of return that takes into consideration cash flow requirements, and ensuring diversified investments to reduce portfolio risks. An investment policy will specify appropriate performance measures, describe prudent and ethical standards to be followed by the local government in carrying out its investment activities, and provide for appropriate reporting of investment activities.

Local governments that elect to not adopt a written investment policy will only invest surplus public funds in the local government investment pool, registered money market funds and shares, U.S. Treasury obligations, or bank deposits held for investment purposes.

**Authored By:** Rep. Carter Barrett (24th)  
**House** Banks & Banking  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 3

**Rule Applied:** Modified-Structured  
**Committee** 03-01-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 532 Pike County; Magistrate Court; chief judge; provide nonpartisan elections**

Bill Summary: HB 532 provides nonpartisan elections for the chief judge of the Magistrate Court of Pike County.

**Authored By:** Rep. Beth Camp (135th)  
**House** Intragovernmental Coordination  
**Committee:**  
**Floor Vote:** Yeas: 139 Nays: 20

**Rule Applied:** Modified-Open  
**Committee** 02-28-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 538 Georgia Early Literacy Act; enact**

Bill Summary: HB 538 creates the 'Georgia Early Literacy Act' to implement the science of reading in Georgia. School systems will be required to teach high-quality instructional materials approved by the State Board of Education in grades kindergarten through third grade.

The Department of Education must develop and provide training to kindergarten through third-grade teachers on the science of reading so teacher have the skills and knowledge to teach young students to read. Students across the state will take a universal reading screener assessment to monitor their progress in foundational literacy skills multiple times a year.

**Authored By:** Rep. Bethany Ballard (147th)  
**House** Education  
**Committee:**  
**Floor Vote:** Yeas: 174 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 541 Motor vehicles; proper procedure for passing postal service vehicle; provide**

Bill Summary: HB 541 requires drivers to move over for a postal service vehicle displaying flashing yellow, amber, white, or red lights.

**Authored By:** Rep. Eddie Lumsden (12th)  
**House** Motor Vehicles  
**Committee:**  
**Floor Vote:** Yeas: 167 Nays: 5

**Rule Applied:** Modified-Structured  
**Committee** 02-28-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 557 Professions and businesses; authority to certain nurses and physician assistants to prescribe Schedule II controlled substances; authorize**

Bill Summary: HB 557 authorizes advanced practice registered nurses and physician assistants to prescribe Schedule II controlled substances in emergency situations under certain circumstances. These circumstances include good standing with the applicable medical board and at least one year of post-licensure clinical experience. The patient receiving the prescription must be at least 18 years old unless the medication is used to treat attention deficit hyperactivity disorder (ADHD) and the supervising physician is a pediatrician, family practice physician, internal medicine physician, or psychiatrist.

The bill only allows for an initial prescription that does not exceed a five-day supply. Authorization must be included in the provider's nurse protocol agreement and physician assistant's job description.

**Authored By:** Rep. Ron Stephens (164th)  
**House** Public Health  
**Committee:**

**Rule Applied:** Modified-Structured  
**Committee** 02-28-2023 Do Pass as Amended  
**Action:**



Floor Vote: Yeas: 136 Nays: 38

Amendments:

**HB 563 Fair Employment Practices Act of 1978; hearing before an administrative law judge; provide**

Bill Summary: HB 563 adjusts sections of the Code from requiring the appointment of a special master for addressing complaints to now providing for a hearing before either a hearing officer or an administrative law judge with the Office of State Administrative Hearings. If the Office of State Administrative Hearings is a respondent, the court will then appoint a special master.

The bill amends the unlawful practices statute to include willfully neglecting or failing to comply with a subpoena or other lawful order from an administrator or hearing officer.

**Authored By:** Rep. Rob Leverett (123rd)  
**House** Judiciary  
**Committee:**  
**Floor Vote:** Yeas: 175 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 02-28-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 571 Georgia Alzheimer's and Related Dementias State Plan; updated every four years; provide**

Bill Summary: HB 571 revises the membership of the Georgia Alzheimer's and Related Dementias State Plan Advisory Council to include the chairperson of the House Committee on Public Health. The council must amend the state plan every four years. Beginning January 1, 2025, and every four years thereafter, the council must provide the governor and the General Assembly with a report that describes the impact of dementia in Georgia and updates the progress of the state plan.

**Authored By:** Rep. Deborah Silcox (53rd)  
**House** Public Health  
**Committee:**  
**Floor Vote:** Yeas: 170 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-02-2023 Do Pass  
**Action:**  
**Amendments:**

**HB 572 Elections; rename Georgia Government Transparency and Campaign Finance Commission as the State Ethics Commission**

Bill Summary: HB 572 renames the Georgia Government Transparency and Campaign Finance Commission as the State Ethics Commission. The bill authorizes the commission to impose civil penalties against a county election superintendent, municipal clerk, or county chief executive officer who willfully fails to properly transmit a copy of a candidate's disclosure report.

The bill exempts general election contributions of more than \$1,000 from the two business day report period requirement of a primary election, and exempts retired judges and senior judges from being required to file an affidavit with financial disclosure statements.

**Authored By:** Rep. Matt Reeves (99th)  
**House** Judiciary  
**Committee:**  
**Floor Vote:** Yeas: 173 Nays: 0

**Rule Applied:** Modified-Structured  
**Committee** 03-03-2023 Do Pass by Committee  
**Action:** Substitute  
**Amendments:**

**HB 581 Audits and Accounts, Department of; revise deadlines, selection criteria, and required contents for certain annual economic analyses**

Bill Summary: HB 581 requires the Department of Audits and Accounts to conduct 10 economic analyses for income tax credits or sales and use exemptions that will sunset or be repealed within two years of July 1 of the year the economic analyses are conducted. If more than 10 tax credits or sales and use exemptions qualify, it will be determined by chronological order. If less than 10 qualify, the chairperson of the House Ways and Means Committee and chairperson of the Senate Committee on Finance may request half of the remaining economic analyses.

Requests must be made to the department by April 15 and analyses must be completed by November 15. The economic analyses must include recommendations for improving the state's return on investment from the law being proposed or studied.

**Authored By:** Rep. Shaw Blackmon (146th)

**Rule Applied:** Modified-Structured

<b>House Committee:</b>	Budget and Fiscal Affairs Oversight	<b>Committee Action:</b>	03-02-2023 Do Pass
<b>Floor Vote:</b>	Yeas: 175 Nays: 0	<b>Amendments:</b>	

**HB 607 Education; revise definition of Zell Miller Scholarship Scholar by changing ACT score requirement for certain students**

Bill Summary: HB 607 changes the ACT score requirement for a Zell Miller Scholarship Scholar from 26 to a score equivalent to 1,200 on the SAT, as determined by the Georgia Student Finance Commission using nationally-recognized standards. The bill has an effective date of July 1, 2024.

<b>Authored By:</b>	Rep. Clay Pirkle (169th)	<b>Rule Applied:</b>	Modified-Structured
<b>House Committee:</b>	Higher Education	<b>Committee Action:</b>	03-02-2023 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 174 Nays: 1	<b>Amendments:</b>	

**HB 611 Budgetary and financial affairs; disposition of state funds derived from certain legal judgments or settlements; provide**

Bill Summary: HB 611 requires all funds from legal judgements awarded to the state on or after June 1, 2023, or legal settlements entered into by the state or on its behalf by June 1, 2023, to be held by the state treasury until appropriated by the General Assembly.

<b>Authored By:</b>	Rep. James Burchett (176th)	<b>Rule Applied:</b>	
<b>House Committee:</b>	Budget and Fiscal Affairs Oversight	<b>Committee Action:</b>	03-02-2023 Do Pass
<b>Floor Vote:</b>	Yeas: 172 Nays: 1	<b>Amendments:</b>	

**HR 48 Stinchcomb, Mr. Mario; compensate**

Bill Summary: HR 48 authorizes the Department of Administrative Services to pay Mario Stinchcomb \$910,000 in the form of an annuity paid in equal monthly installments over 10 years beginning one year after an initial lump sum payment of \$300,300.

<b>Authored By:</b>	Rep. Stacey Evans (57th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Appropriations	<b>Committee Action:</b>	03-02-2023 Do Pass
<b>Floor Vote:</b>	Yeas: 154 Nays: 13	<b>Amendments:</b>	
<b>Floor Action:</b>	Adopted (Resolution)		

**HR 49 Woolfolk, Mr. Michael; compensate**

Bill Summary: HR 49 authorizes the Department of Administrative Services to pay Michael Woolfolk \$1,260,000 in the form of an annuity paid in equal monthly installments over 10 years beginning one year after an initial lump sum payment of \$415,800.

<b>Authored By:</b>	Rep. Stacey Evans (57th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Appropriations	<b>Committee Action:</b>	03-02-2023 Do Pass
<b>Floor Vote:</b>	Yeas: 157 Nays: 14	<b>Amendments:</b>	
<b>Floor Action:</b>	Adopted (Resolution)		

**HR 55 Talley, Mr. Terry L.; compensate**

Bill Summary: HR 55 authorizes the Department of Administrative Services to pay Terry Talley \$1,808,865 in the form of an annuity paid in equal monthly installments over 10 years beginning one year after an initial lump sum payment of \$596,925.

<b>Authored By:</b>	Rep. Debbie Buckner (137th)	<b>Rule Applied:</b>	Modified-Open
<b>House Committee:</b>	Appropriations	<b>Committee Action:</b>	03-02-2023 Do Pass by Committee Substitute
<b>Floor Vote:</b>	Yeas: 158 Nays: 12	<b>Amendments:</b>	
<b>Floor Action:</b>	Adopted (Resolution)		

**HR 70 Inman, Mr. Devonia; compensate**

**Bill Summary:** HR 70 authorizes the Department of Administrative Services to pay Devonia Inman \$1,610,000 in the form of an annuity paid in equal monthly installments over 10 years beginning one year after an initial lump sum payment of \$536,667.

**Authored By:** Rep. Penny Houston (170th)  
**House Committee:** Appropriations  
**Floor Vote:** Yeas: 170 Nays: 3  
**Floor Action:** Adopted (Resolution)

**Rule Applied:** Modified-Open  
**Committee Action:** 03-02-2023 Do Pass by Committee Substitute  
**Amendments:**

**HR 256 Sophia Ruth Fisher Interchange; Tift County; dedicate**

**Bill Summary:** HR 256 is the annual House road dedication resolution. The omnibus dedication package includes:

HR 256, dedicating the interchange at Willis Still Road and Interstate 75 in Tift County as the Sophia Ruth Fisher Interchange;

HR 69, dedicating the bridge on State Route 39 over Cemochechobee Creek in Clay County as the John E. Brown Bridge;

HR 97, dedicating the bridge on State Route 190 over Lane Street in Meriwether County as the Sergeant Eddie Thomas Terry Memorial Bridge;

HR 125, dedicating the portion of State Route 138 from Tara Boulevard in Clayton County to Scarlett Drive in Clayton County as the Dr. Barbara Pulliam Highway;

HR 167, dedicating the portion of State Route 138 from Highway 54 to North McDonough Street in Clayton County as the Jeffrey E. Turner Parkway;

HR 207, dedicating the portion of Highway 78 from the east boundary of the City of Tallapoosa to the west boundary of the City of Tallapoosa in Haralson County as the Mayor William "Pete" Bridges Memorial Highway;

HR 208, dedicating the portion of Georgia Business Route 10 within the city limits of Washington in Wilkes County as the MLK Memorial Drive;

HR 230, dedicating the portion of State Route 57 East from Mile Marker 15 to the Johnson/Emanuel County Line in Johnson County, Georgia, as the Deputy Emory Rowland Memorial Highway; and

HR 231, dedicating the State Route 125 bridge over Vanceville Road near the Berrien/Tift County line in Berrien County as the West Berrien Vietnam War Veterans Memorial Bridge.

**Authored By:** Rep. Clay Pirkle (169th)  
**House Committee:** Transportation  
**Floor Vote:** Yeas: 168 Nays: 0  
**Floor Action:** Adopted (Resolution)

**Rule Applied:** Modified-Open  
**Committee Action:** 03-02-2023 Do Pass by Committee Substitute  
**Amendments:**

## Committee Actions

*Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.*

### Insurance Committee

#### **HB 417 Insurance; prohibit insurers from discriminating against certain healthcare facilities and providers in connection with provider administered drugs**

Bill Summary: House Bill 417 prohibits insurers from denying coverage of an in-network provider for provider administered medication or the administration of such medication under certain circumstances.

**Authored By:** Rep. David Knight (134th)  
**House Committee:** Insurance

**Committee Action:** 03-06-2023 Do Pass by Committee Substitute

### Judiciary Non-Civil Committee

#### **HB 364 Wrongful Conviction Compensation Act; enact**

Bill Summary: HB 364 is the 'Wrongful Conviction Compensation Act'. The bill creates the Wrongful Conviction Compensation Review Panel under the authority of the Claims Advisory Board. The review panel is composed of five members serving three-year terms. Members of the panel include: 1) a judge who presides over felony criminal matters in any state court who is appointed by the chief justice of the Georgia Supreme Court; 2) a current district attorney appointed by the governor; 3) a criminal defense attorney appointed by the governor; 4) an attorney, forensic science expert, or law professor, with expertise in wrongful convictions appointed by the speaker of the House; 5) and an attorney, forensic science expert, or law professor, with expertise in wrongful convictions appointed by the president of the Senate.

To be eligible for compensation, the claimant must establish by a preponderance of the evidence that: 1) the claimant was convicted of one or more felonies and subsequently incarcerated; 2) the claimant proclaims their innocence; 3) the claimant did not, or bribe or induce someone to, commit perjury, fabricate evidence, or engage in conduct intended to bring about the conviction; and 4) the claimant was exonerated for the crime in which compensation is being requested.

To receive compensation, the claimant must establish by a preponderance of the evidence that: 1) the claimant received a pardon based on innocence for the conviction; 2) the claimant was exonerated based on grounds of innocence; or 3) the claimant did not commit the crime for which the claimant was convicted and did not commit any lesser-included offenses. The claim must be filed with the board within three years after the date that the claimant's eligibility was established. If a hearing is held, the claimant, the district attorney from the circuit that the conviction occurred, and the attorney general will be provided notice in advance.

Recommendations to the board may include \$100,000 for each year of wrongful incarceration, although they must be at least \$50,000 per year. The review panel is allowed to include reasonable attorneys' fees, and any monetary judgment or settlement agreement against the state or a locality related to the wrongful conviction will be deducted from the sum of money that is included in the recommendation of the review panel. The board will adopt the recommendation of the panel and transmit the recommendation to the chief justice of the Supreme Court of Georgia within seven days of receiving it.

If the chief justice adopts the recommendation of the board, it will be paid from the judiciary budget, subject to appropriations by the General Assembly. Payment will be made in the form of cash, and dollar amounts provided in the bill will be adjusted annually using the Consumer Price Index (CPI). If any amount is won by the claimant against the state or a locality in a separate legal action or a

resulting settlement, then that monetary award will be deducted from the amount awarded by the panel.

The bill defines "exonerated" as having their judgment reversed or vacated, having been granted a new trial, and having the indictment or accusation dismissed or nolle prossed; having their judgment reversed or vacated, or was granted a new trial and, upon retrial, acquitted; or having received a pardon based on innocence.

**Author By:** Rep. Scott Holcomb (81st)  
**House** Judiciary Non-Civil  
**Committee:**

**Committee** 03-06-2023 Do Pass by Committee  
**Action:** Substitute

#### **HB 450 Courts; reestablishment of Criminal Case Data Exchange Board; provide**

**Bill Summary:** HB 450 reestablishes the Criminal Case Data Exchange Board under the Judicial Council of Georgia. The board is required to promulgate regulations for the creation and transmission of electronic criminal history data by and between local and state law enforcement agencies, and provide for an automated system for notification of case information to victims by July 1, 2023.

**Author By:** Rep. Stan Gunter (8th)  
**House** Judiciary Non-Civil  
**Committee:**

**Committee** 03-06-2023 Do Pass by Committee  
**Action:** Substitute

#### **HB 487 Crimes and offenses; assault and battery offenses upon all healthcare workers; expand enhanced punishment**

**Bill Summary:** HB 487 defines the term "healthcare worker" as any employee or independent contractor of a hospital or other healthcare facility. Increased penalties are added when someone commits aggravated assault against a healthcare worker while performing their job. The penalty is imprisonment of between three to 20 years.

The bill increases penalties for committing aggravated battery against a healthcare worker while performing their job. The penalty is imprisonment of between five to 20 years.

The bill is effective July 1, 2023.

**Author By:** Rep. Mark Newton (127th)  
**House** Judiciary Non-Civil  
**Committee:**

**Committee** 03-06-2023 Do Pass by Committee  
**Action:** Substitute

## Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule, please visit [www.legis.ga.gov](http://www.legis.ga.gov) to view all upcoming events.*

### Tuesday - March 7, 2023

1:00 PM	<a href="#">FLOOR SESSION (LD 29) (House)</a>	House Chamber	<a href="#">VIDEO</a>
8:00 AM	<a href="#">CANCELED MOTOR VEHICLES COMMITTEE (House)</a>	606 CLOB	<a href="#">VIDEO</a> <a href="#">Agenda</a>
1:00 PM	<a href="#">PUBLIC HEALTH COMMITTEE (House)</a>	606 CLOB	<a href="#">VIDEO</a> <a href="#">Agenda</a>
2:00 PM	<a href="#">RETIREMENT COMMITTEE (House)</a>	406 CLOB	<a href="#">VIDEO</a> <a href="#">Agenda</a>
3:00 PM	<a href="#">ENERGY, UTILITIES &amp; TELECOMMUNICATIONS COMMITTEE (House)</a>	403 CAP	<a href="#">VIDEO</a>